

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Irrigation & CAD Department – Allegations of check measurement and recommendation of payment for substandard concrete lining relating to the work of Bandi Athmakure channel of LCB -05 package of K.C. Canal modernization project for a length of 367 MT in Kurnool Dist. - Disciplinary proceedings against Sri K. Subramanyam Naidu, Dy.EE(Retd.) initiated – Appeal petition filed – Further action dropped - Orders - Issued.

IRRIGATION & C.A.D. (Ser.VII.(V&E)A.1) DEPARTMENT

G.O.Rt.No. 49

Dated: 20-01-2010.
Read the following:-

1. G.O.Ms.No. 158 I&CAD(Ser.VII(V&E)A.1) Dept.,Dt. 12-09-2007.
2. G.O.Rt.No. 1034 I&CAD(Ser.VII.(V&E)A.1) Dept., Dt. 12-09-2007.
3. Orders Dt. 28-04-2009 of Hon'ble APAT in O.A.No. NO.5146/09
4. Representation from Sri K. Subramanayam Naidu, Dy.EE(Retd.)
Dt. 13-05-2009

ORDER

It has been brought to the notice of the Government that, Sri K. Subramnayam Naidu, Dy.EE(Retd.) has check measured and recommended payment for substandard concrete lining not satisfying the required grade for Comp. strength, which is liable for rejection of Bandi Athmakure channel of 367 m length of package LCB-05 of K.C. Canal Modernisation Project works.

2. After examining the entire issue it has been decided to initiate departmental action against Sri K. Subramnayam Naidu, Dy.EE(Retd.) along with the others involved in this case. Accordingly, in the references 1st & 2nd read above, disciplinary action was initiated against Sri K. Subramnayam Naidu, Dy.EE(Retd.) by framing of article of charges for check measuring and recommending payment for substandard concrete lining not satisfying the required grade for Comp. strength, which is liable for rejection of Bandi Athmakure channel of 367 m length of package LCB-05 of K.C. Canal Modernisation Project works in Kurnool Dist. with a direction to submit his Written Statement of defence.

3. Aggrieved by the orders of the Govt., Sri K. Subramnayam Naidu, Dy.EE(Retd.) has approached the APAT in O.A. NO.5146/09 and the Hon'ble APAT, in its interim orders dt.28.04.2009, has stated that "in view of violation of Rule 9(2)(b) (ii) of AP Revised Pension Rules by issuing the charge memo after four years of the incident, the Respondents are directed to not to proceed any further pursuant to G.O.Rt.No.1034, Dt. 12-9-2007 and G.O.Ms No.158, Dt.12-9-2007 in respect of the applicant is concerned".

4. While enclosing a copy of the orders of Hon'ble APAT, Sri K. Subramanyam Naidu, Dy.EE(Retd.), in his application, has stated that the work mentioned in the Articles of charge was grounded during April 2002 and the component of work was counter checked by him on 4-7-2003 and 7-8-2003 for reaches from 0.262 km to 0.300 km and from 4.105 Km to 4.270

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Km simultaneously in the pages 23,24,43 and 44 of M.B.22 B. He has further stated that the charges were served to him after his retirement and as per clause 9(2)(b)(ii) of APRP Rules, 1980, no action can be taken against him as the incident was occurred 4 years before from the date of institution of departmental proceedings Dt.12-9-2007. He therefore requested to drop further action against him to enable him to get all pensionary benefits.

5. After careful examination of the matter in detail and after taking into consideration of the points put forth by the individual in his application, it has been decided to drop further action against Sri K. Subramnayam Naidu, Dy.EE (Retd.) as per clause 9(2)(b)(ii) of AP Revised Pension Rules Subject to condition to effect recovery of amount, if any, apportioned to him on finalization of disciplinary case against the other officers on the said irregularities in terms of orders issued in G.O.Rt.No.1097, Finance & Planning (FW.Pen.1) Dept., Dt. 22-06-2000 and G.O.Rt.995 Finance(Pension-I) Dept., Dt.21-12-2002.

6. Accordingly, Government hereby order to drop further action against Sri K. Subramnayam Naidu, Dy.EE(Retd.) as per Rule 9(2)(b) (ii) of AP Revised Pension Rules, in respect of departmental case relating to check measuring and recommending payment for substandard concrete lining of Bandi Athmakure channel of 367 m length of package LCB-05 of K.C. Canal Modernisation Project works in Kurnool Dist., subject to condition to effect recovery amount, if any, apportioned to him on finalization of disciplinary case against the other officers on the said irregularities in terms of orders issued in G.O.Rt.No.1097, Finance & Planning (FW.Pen.1) Dept., Dt. 22-06-2000 and in G.O.Rt.995 Finance(Pension-I) Dept., Dt.21-12-2002.

7. The Engineer-in-Chief(AW) , I&CAD Department, Hyderabad shall take necessary action for release of pensionary benefits of the individual.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K. Subramnayam Naidu, Dy.EE(Retd.) **through**
Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.
The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.
The I&CAD(Ser.I) Department.

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.
The General Administration (V&E) Department.
The Secretary to VC, A.P. V.C, Hyderabad.
The Government Pleader for Irrigation **w.r.to O.A.No. 5146/2009**
To file C.No.9393/Ser.VII.(V&E)A.1/2009
SF/SC

//FORWARDED : BY ORDER//

SECTION OFFICER